

## Message Text

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61-60

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FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC PRIORITY 2736

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PASS JUSTICE DEPARTMENT FROM AMBASSADOR SHELTON

E. O. 11652: GDS

TAGS: APER NU

SUBJECT: LEGAL ATTACHE OFFICE

1. I HAVE BEEN SERIOUSLY DISTURBED AND DISTRESSED BY THE REPORTED DECISION OF THE FEDERAL BUREAU OF INVESTIGATION TO CLOSE THE LEGAL ATTACHE OFFICE IN MANAGUA, AND I STRONGLY URGE THAT THIS DECISION BE REVIEWED AND HOPEFULLY CHANGED. THERE ARE SEVERAL REASONS WHY I CONSIDER THAT THE CLOSURE OF THIS OFFICE WOULD BE A SERIOUS MISTAKE, I AM LISTING THEM.

(A) WHEN I ARRIVED IN MANAGUA IN NOVEMBER, 1970, THE OPENING OF AN OFFICE IN CENTRAL AMERICA BY THE FEDERAL BUREAU OF INVESTIGATION WAS UNDER CONSIDERATION, AS IT HAD BECOME ABUNDANTLY CLEAR THAT PROPER COVERAGE OF THE SEVEN COUNTRIES, (INCLUDING BELIZE AND PANAMA) FROM MEXICO WAS NEITHER PRACTICAL NOR EFFICIENT. THE DECISION TO LOCATE THE OFFICE IN MANAGUA WAS, IT WOULD APPEAR, WISE AS THIS IS THE MOST CENTRAL OF THE SEVEN CAPITALS AND THE ONE THAT PROVIDES THE EASIEST CONNECTIONS TO ALL THE OTHERS.

(B) SINCE THE OPENING OF THE LEGAL ATTACHE OFFICE IN MANAGUA THERE HAS BEEN A CONSTANT AND CONTINUING INCREASE IN THE CASE LOAD CARRIED BY THE ATTACHE. CURRENTLY THE OFFICE CASE LOAD AVERAGES 140 A MONTH. OF THESE APPROXIMATELY 40 PERCENT ARE CRIMINAL CASES, 30 PERCENT SECURITY CASES, AND 30 PERCENT APPLICANT, POLICE

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COOPERATION, AND OTHER MATTERS. EACH EMBASSY IN CENTRAL

AMERICA IS VERY AWARE OF THE INCREASING USE OF CENTRAL AMERICA AS A HAVEN BY US CITIZENS SEEKING TO ESCAPE CRIMINAL JUSTICE AND PRISON SENTENCES IN THE UNITED STATES. ALL INDICATIONS ARE THAT THIS WILL CONTINUE TO INCREASE, PRIMARILY BECAUSE OF THE EASE OF REACHING CENTRAL AMERICA FROM THE CONTINENTAL UNITED STATES. WHILE LOCAL POLICE IN THE VARIOUS COUNTRIES COOPERATE WELL WITH THE LEGAL ATTACHE, IT IS VERY CLEAR THAT THEIR OWN INTEREST IN LOCATING US FUGITIVES WOULD BE MINIMAL WITHOUT THE CONSTANT PRESSURE BEING EXERTED BY THE LEGAL ATTACHE LOCATED IN MANAGUA. WHILE THE LOCATION OF THE US FUGITIVES AND STOLEN GOODS IS CERTAINLY THE PRIMARILY REASON FOR MAINTAINING A LEGAL ATTACHE IN CENTRAL AMERICA, THERE IS ANOTHER ASPECT OF HIS WORK WHICH IS OF GREAT IMPORTANCE TO OVERALL US OBJECTIVES AND INTEREST IN THIS AREA. THAT IS THE COOPERATION THAT HE PROVIDES TO LOCAL AUTHORITIES IN SEVEN COUNTRIES. A MAYAN STELA, VALUED AT \$650,000 WAS RECOVERED IN THE US THROUGH INFORMATION DEVELOPED BY THE LEGAL ATTACHE IN MANAGUA. IN PANAMA THERE HAVE BEEN NUMEROUS CASES CONCERNING BANK FRAUDS AND CASES INVOLVING STOLEN SECURITIES SOLD OR USED IN CRIMINAL SCHEMES. A PRIME EXAMPLE OF COOPERATION WITH THE LOCAL GOVERNMENT OCCURRED JUST THIS WEEK IN MANAGUA. THE PUBLIC AFFAIRS OFFICER MENTIONED CASUALLY IN A MEETING THE NAME OF A NEWLY HIRED DIRECTOR OF THE RUBEN DARIO NATIONAL THEATRE. THE LEGAL ATTACHE, WHO WAS PRESENT AT THE STAFF MEETING INTERRUPTED TO SAY THAT HE HAD A LENGTHY CRIMINAL FILE ON THIS CON MAN WHO ALTHOUGH AN ARGENTINE CITIZEN IS A US RESIDENT. THE MAN'S BACKGROUND WAS BROUGHT TO THE ATTENTION OF THE DIRECTORS OF THE NATIONAL THEATER AND OF NICARAGUAN GOVERNMENT OFFICIALS. HE IS BEING QUIETLY DEPORTED FROM THE COUNTRY AND THE NICARAGUANS HAVE EXPRESSED THEIR GRATITUDE TO THIS EMBASSY FOR BEING SPARED EXPENSE AND EMBARRASSMENT THAT WOULD OTHERWISE HAVE ENSUED.

2. FROM THE PURELY ADMINISTRATIVE POINT OF VIEW IT IS DIFFICULT FOR ME TO UNDERSTAND WHAT WOULD BE ACHIEVED BY MOVING THE PERSONNEL OF THIS OFFICE TO MEXICO. STAFF SALARIES, HOUSING AND OTHER EXPENSES WOULD BE THE SAME, IF NOT HIGHER, AND THEREFORE THERE WOULD BE NO COST ADVANTAGE TO THE UNITED STATES GOVERNMENT. INDEED, THE ADDITIONAL TRAVEL EXPENSE CONSIDERING THE DISTANCES FROM MEXICO TO THE CENTRAL AMERICAN CAPITALS WOULD APPEAR TO INCREASE THE COST OF MAINTAINING THIS ACTIVITY. I HAVE SEEN THE LIMITED OFFICIAL USE

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TELEGRAM SENT BY AMBASSADOR SANCHEZ OF TEGUCIGALPA IN WHICH HE STRONGLY DEPLORES THE PROPOSED CLOSURE OF THE MANAGUA LEGAL ATTACHE OFFICE. I FEEL CONFIDENT THAT OTHER COLLEAGUES OF MINE IN US EMBASSIES IN CENTRAL AMERICA SHARE HIS VIEWS AND MINE, AND I RESPECTFULLY URGE IN THE STRONGEST TERMS THAT THIS DECISION NOT BE CARRIED THROUGH. I BELIEVE THAT THE INTEREST OF THE US ARE BEST SERVED AND PROTECTED BY THE MAINTENANCE OF THIS OFFICE HERE AND THAT THE SERVICE THAT IT IS ABLE TO RENDER, AND INDEED

DOES RENDER, TO THE US GOVERNMENT IN CENTRAL AMERICA IS ENTIRELY  
TOO VALUABLE TO BE DIMINISHED BY THIS PROPOSED CLOSURE AND  
TRANSFER.

3. THERE IS ANOTHER CONSIDERATION OF WHICH THE DEPARTMENT SHOULD  
BE AWARE. THERE HAVE BEEN NUMEROUS INSTANCES WHEN BECAUSE OF  
HIS CLOSE CONTACTS WITH LOCAL POLICE IN THE VARIOUS COUNTRIES,  
THE LEGAL ATTACHE HAS BEEN ABLE TO HAVE AMERICANS JAILED ON  
MINOR OFFENSES, RELEASED AND SIMPLY DEPORTED TO THE US WITHOUT THE  
PROBLEMS OF A FORMAL TRIAL AND LONG JAIL SENTENCES WHICH MIGHT  
BE INVOLVED. IF THE ATTACHE OFFICE IS CLOSED AND THOSE CLOSE  
RELATIONSHIPS NO LONGER EXIST, WE SEE ADDITIONAL PROTECTION AND  
WELFARE PROBLEMS WHICH COULD INCREASE EMBARRASSMENT TO THE US  
GOVERNMENT AND DEMINISH THE ABILITY OF THIS EMBASSY TO RESPOND  
RAPIDLY TO CONGRESSIONAL AND OTHER INQUIRIES.  
SHELTON

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